

Inventor: Hakansson et al
Serial No.: 09/741,739
Filing Date: 12/21/2000
Examiner: Chaney
Group Art Unit: 1745

since 1998, the year in which the copyright is cited, while adding many new products to the page.

Since the disclosure of SKU 9966 does not relate to a construction for venting hydrogen gas, but to a completely different technical field of providing a shelf, the claimed invention would not be obvious to a skilled person in any event.

Claims 29-37 are rejected under 35 U.S.C. § 102(b) as being anticipated by Pimlott et al U.S. 4668371, which includes 4444632 incorporated by reference for the purposes of the cell elements that it teaches (column 7, lines 13-20).

Pimlott discloses in Figure 1 an anode 36 which preferably is made of titanium or alloys containing major amounts of tantalum, tungsten, columbium, zirconium, molybdenum coated with an activating substance, for example, an oxide of a platinum group metal (column 6, lines 39-47). The oxide-coated metal (the anode) is not described to be a metal layer sensitive to hydrogen embrittlement. On the contrary, the anode should be resistant to low pH in the anode compartment which varies from 0.5-5 (column 8, lines 14-18) and hydrogen evolution which occurs on the anode in the anode compartment (cf. column 1, lines 19-22) while electrolyzing brine.

Pimlott does not disclose a mesh joined between a first and a second metallic layer. Pimlott does refer to a mattress taught in US 4444632 (deNora), but, in fact, no mattress is disclosed in deNora, particularly not in the section referred to by the Examiner (cf. US 4444632, column 4, lines 19-27 and 66-68). Instead, this section discloses a resilient current electrode consisting of a substantially open mesh, planar electro conductive metal-wire article or screen having an open network. Such an electrode is not a mesh joined between the first and second metallic layers of the present invention

Inventor: Hakansson et al
Serial No.: 09/741,739
Filing Date: 12/21/2000
Examiner: Chaney
Group Art Unit: 1745

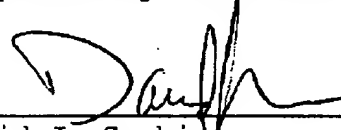
which could constitute an example of a mattress 13 as set out in Pimlott and does thus not disclose any venting channels either between the first and the second metallic layers.

Thus, claims 29-37 are novel over Pimlott.

The invention is further not obvious in view of Pimlott. Pimlott is directed to solving corrosion problems and prolonging the service life of structural frames for use in zero gap electrochemical cells (column 1, lines 57-60). The skilled artisan would not arrive at the present invention based on the teaching of Pimlott, since the technical problem posed in Pimlott would not suggest modification to enable hydrogen venting.

The Commissioner is hereby authorized to charge any required fees associated with this communication and during the pendency of the application under 37 CFR 1.16 and 37 CFR 1.17 or to credit any overpayment to Deposit Account No. 501348. This sheet is submitted in duplicate.

Respectfully submitted,



David J. Serbin
Reg. No. 30,589

Law Offices of David J. Serbin
Unit 2, First Floor
1423 Powhatan Street
Alexandria, Virginia 22314
Telephone: (703) 838-2700
Facsimile: (703) 838-2701
April 14, 2003

I hereby certify that this correspondence is being transmitted by facsimile this day to Examiner Carol Chaney at the United States Patent and Trademark Office, Art Unit 1745, to fax No. 703-872-9310.

14 April 03 
Date Signature

FAX RECEIVED
APR 15 2003
GROUP 1700

Inventor: Hakansson et al
Serial No.: 09/741,739
Filing Date: 12/21/2000
Examiner: Chaney
Group Art Unit: 1745

ATTACHMENT A

32. (Amended) Construction according to claim [30] 31 wherein a fourth metallic layer is joined to, and in between, the third and the first metallic layers.

35. (Amended) Construction according to claim [30] 31 wherein the first, the third, and the second layers form an anode, an intermediate layer, and a cathode providing a bipolar electrode.

36. (Amended) Construction according to claim [30] 31 wherein the hydrogen permeability is lower in the third layer than in the second layer.